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THE  
CORRESPONDENCE

IN RELATION TO

"THE THIRD CHURCH OF 1735,"

WITH

REMARKS

UPON THE

PAMPHLET PUBLISHED BY THE TABERNACLE CHURCH.

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S A L E M :  
SALEM REGISTER PRESS,  
1847.

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*Extract from the Records of the Third Congregational Church, Salem.*

At a regular meeting of the Third Congregational Church, held May 4, 1847, the attention of those present was called to a pamphlet recently published by order of the Tabernacle Church, in support of their claim to be the Third Church of 1735, in opposition to what this Church considers its own rightful claims. After free remarks and consultation, a committee was appointed to take the whole subject into consideration, and report to the Church.

May 18th—The Committee appointed on the 4th inst. submitted a Report, which was read, and made the subject of remark by the brethren, after which it was unanimously Voted, That said Report be recommitted to said Committee, with instructions to prepare it for publication, and to cause it to be printed.

Attest,

C. M. RICHARDSON, *Clerk.*

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## THIRD CHURCH OF 1735.

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### CORRESPONDENCE, &c.

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At the celebration of Independence, on the 4th of July last, it was agreed to form a procession of the various Sabbath Schools in this city, arranged in the order of the formation of the several Churches with which they are connected. In carrying out this plan, a question arose in relation to the Third Congregational Church of 1735, the committee from Mr. Worcester's Society, as well as that from Dr. Emerson's, claiming to be the successors of that church. The question of precedence on that occasion was readily and amicably adjusted, by drawing lots, agreeably to the suggestion of the general committee—and no idea was entertained by the committee from our society, or as we can learn by the committee in general, that any evil had resulted, or was likely to result, from this circumstance. But it was deemed of so much importance by some of our brethren of the Tabernacle church, that shortly afterwards a preamble and resolution were passed in church meeting, setting forth, in substance, that whereas the South Church had in various ways, publicly and privately, claimed to be the Third Church of 1735, and whereas this claim had recently been put forth in a manner and under circumstances calculated to disturb the harmony existing between the two churches—therefore voted that the Pastor be requested to prepare a statement in support of the claims of the Tabernacle, to be considered the Third Church of 1735.

About two months afterwards, the Pastor of that Church made a voluminous Report, going at length into various arguments and statements in support of their claims. Having thus fully prepared themselves to meet the case, a committee was appointed, who forwarded to us the communication below, dated Oct. 20, proposing a committee of conference ; said committee of course would be furnished with all the arguments and documents in their favour, which a laborious investigation of several months had been able to procure. It must be apparent that we could not enter into a discussion of this subject with such a committee on equal ground—as we had never prepared ourselves for a formal defence of a claim which was settled by a highly respectable Ecclesiastical Council more than seventy years ago, and had been generally admitted by two generations preceding us. It should also be stated, that our Pastor had but just returned from Europe, having been absent four or five months previous. Under these circumstances, and being desirous to avoid a controversy which it was feared would tend to disturb that harmony and good fellowship which had for so many years characterized their intercourse, the Church replied, through a committee, under date of Nov. 10, declining the discussion of a question so long since settled—both by a competent ecclesiastical tribunal, and by general acquiescence in their result.

The remaining correspondence &c. needs no explanation; and while we regret that circumstances have rendered this publication necessary, in justice to our predecessors as well as ourselves,—we feel a high degree of satisfaction in the reflection, that we can not be held responsible for any evils which may arise from the controversy into which we have so reluctantly been drawn, and which it has been our aim to conduct with that spirit which should ever characterize the followers of the “meek and lowly” One, whom we recognize as our common Lord and Master.

SALEM, Oct. 20, 1846.

Rev. DR. EMERSON,

*Dear Sir*—You have doubtless been apprised of an unpleasant disagreement and difficulty, in respect to the order of procession, at the late Anniversary of Independence. The claim which was presented by the Committee of the South Church and Society, that their Sabbath School should take precedence of that of the Tabernacle, was, for the time being, decided by lot, agreeably to the wishes of the General Committee. Such a mode of decision is obviously not the proper method of determining a question of history, or establishing a matter of fact.

In order, therefore, to prevent a recurrence of any disagreement or difficulty, in any similar circumstances, or in any case whatever ; and also to avoid all further discrepancy in the published and unpublished documents or statements of the two churches respectively, a committee of three has been appointed by the Tabernacle Church, with instructions to communicate with the South Church. This committee would now be happy to meet a committee of the South Church, in a friendly conference upon the subject, or receive any suggestions, by which the important purpose of their appointment may be harmoniously and satisfactorily accomplished.

Will you have the goodness, dear sir, to communicate the action of the Tabernacle Church, and the desire of their committee ?

In the fellowship of the Gospel, and with fervent prayers for the continuance of the divine favor in high degree, upon yourself, and the beloved people of your pastoral charge, very sincerely, Yours, S. M. WORCESTER,  
*Chairman of Committee.*

SALEM, Nov. 10, 1846.

Rev. S. M. WORCESTER,

*Dear Sir*—Your letter of the 20th of October last, as chairman of a committee of the Tabernacle Church, was on the same day communicated to the Third Church. Whereupon, a committee of four was appointed to consider and report what action the church should take upon the communication. Having carefully attended to the subject committed to them, the committee reported as follows :

“ That they feel constrained to express their surprise at the terms used in the communication, in reference to the transactions at the late Anniversary of Independence. From all the information they have been able to gather from those

who had a personal knowledge of those transactions, they feel warranted in saying most emphatically, that *no* “unpleasant” disagreement or “difficulty” occurred on that occasion;—that, so far at least as those representing our Sabbath School were concerned, there was not the least disposition to make any difficulty in relation to the order of procession on that day;—that they were indifferent on that point, and were willing, as was stated at the time, to take any place in the procession that might be assigned them, either by lot or otherwise;—and that nothing was farther from their thought, than that they were deciding any “question of history or fact,” by consenting that lots might be drawn for precedence on that occasion.

“The committee farther report, that, in their opinion, it is not expedient for this church to enter into a discussion of the validity of their claim to be the Third Congregational Church of Christ in Salem, formed in the year 1735. It has been known and acknowledged as such by numerous historical records, ecclesiastical councils and public documents, during a period of more than seventy years; and we are not aware that the validity of this claim, sustained as it is by the unanimous decision of an ecclesiastical council, with every means of knowing the right, and after an examination of three days, has ever been called in question, except by the Tabernacle church.

“We would have it distinctly understood, that we decline entering the proposed discussion, not from any disrespect to the Tabernacle church; nor from any doubt of the validity of our claim; nor from any unwillingness, in itself considered, to engage in an investigation of the subject; but because we are fully satisfied that our claim cannot be invalidated, as there can be no evidence to support a counter claim, which has not been long ago made public; and more especially, because we believe that a discussion of these conflicting claims would endanger the peace, harmony and good fellowship which have, for so many years, subsisted between these churches, which we earnestly desire to maintain, and which, with God’s help, no action of ours shall interrupt.”

The above report was unanimously accepted by the church—and it was voted that a copy be communicated to the Tabernacle church.

BROWN EMERSON,  
*Chairman of Committee.*

SALEM, Nov. 13, 1846.

Rev. DR. EMERSON,

*Very Dear Sir*—Your letter of the 10th instant, as chairman of a committee of the Church under your pastoral care, in answer to ours of Oct. 20th, was received yesterday. It having been communicated to the Tabernacle Church, with the reply, which the committee recommended to be made, and which the Church adopted without any dissenting voice or sign, we now beg leave to submit a few statements and remarks to your very kind and serious regard.

You absolutely decline any discussion of your “claim to be considered the Third Congregational Church of Christ formed in the year 1735,” and chiefly for three reasons, viz:—that the question has been decided in your favor by a Council more than 70 years since,—that there is “no evidence to support a counter claim which has not been long ago made public,”—and that “a discussion of these conflicting claims would endanger the peace, harmony and good fellowship” of the respective churches. Upon each of these points our views are entirely different from yours. And the whole tenor of your communication, has increased our conviction of the extreme desirableness of a better mutual understanding of the important facts and the true merits of the case.

The first reason abovementioned for declining to enter upon the discussion of your claim, you could hardly expect to be satisfactory. Some of us are the former associates, and the rest are the successors of those who never recognized in the least the jurisdiction, or the intrinsic propriety of the Result of that Council, to which you so confidently refer. That Council was *ex parte*, and met under circumstances by no means favorable to an impartial and correct decision. Not only so, but as we understand the documents of those days of strife in the Third Church, the Council was called by a minority, styled “aggrieved brethren,” who, for a period of nearly two years, or even more, had not been in communion with the Church, and who had also been dismissed, for about five months previous.

If it had been a *mutual* Council, and both parties had agreed to abide by the Result, then would it be right to regard the action as definitive and final. But as it was altogether *ex parte*, and more especially as the Result was by a “construction” entirely unprecedented and unparalleled—upon a principle which, as we think, it would take more than “three days” to persuade any Congregational Council in New

England now to admit,—the Result had really not the slightest effect whatever, as we maintain, to deprive the majority of their claims to all the rights and privileges of the Third Church of 1735. Those who called the Council were entitled by the Result, if it had any such validity as you contend, to take possession of the records, the church plate, and all the property of the Third Church, however great the amount. No such possession was either taken or demanded. What you have of the church plate was given, as you must know, as a peace-offering of brotherly kindness, long afterwards.

We have living and unimpeachable witnesses of all the material facts, in addition to the conclusive testimony of our Records as the Church of 1735, in support of our claim, which is so “counter” to yours. We can also appeal to quite as “numerous historical records, ecclesiastical councils and public documents,” we are fully persuaded, as you would be able appropriately to cite in your own special behalf.

The Church formed in 1735 took the name of “Third Church of Christ in Salem,” in 1763; after having for more than 27 years claimed to be the *First* Church;—so that in all that period there were nominally *two* First Churches in Salem. It was never dissolved,—never changed its Congregational covenant,—and never by any vote, resolution, or other act, *as a church*, was otherwise than Congregational. The Records of the Church acts are *Congregational, all through the times of Dr. Whitaker's Presbyterian usurpation.* And we who now constitute the Tabernacle church, so called by informal consent of the members since 1786, without relinquishing our title to the name Third church,—have ever considered ourselves, both ecclesiastically and legally, the regular successors of those who preceded, as well as of those who followed, the untoward administration of Dr. Whitaker. We claim also that we have been so considered in the community at large; and for the very valid reason, that, according to immemorial usage, when a part of a church, whether larger or smaller, *withdraw*, are *dismissed*, or are in any way *separated* from those that remain in possession of the premises,—they become, if ecclesiastically organized, *a new body*, and *a new church*, both in order of time and notoriety. Whatever name they may call themselves, or in courtesy be called by others, cannot affect the identity or the rights of the church, from which they have withdrawn, been dismissed, or otherwise separated. And you must not be surprised, that we are unable to see how your church can be *forty years older* than your society!

But you say that "there is no evidence to support a counter claim, which has not long ago been made public." And you speak as if your claim had been uniformly acknowledged by all persons, except members of the Tabernacle church, and in all documents, except such as have emanated from themselves. Our impression and our belief is far otherwise.

We do not wish here to argue this or any other point in detail; but we would very earnestly inquire, whether you are aware, that a much larger ecclesiastical body than the Council of February 1775, convened about four months afterwards, unanimously and pointedly affirmed the church under Dr. Whitaker's pastoral care to be the real and only Third church of 1735? They were Presbyterians, it is true. But they were none the less competent to express an opinion. They were Christian ministers and elders, in high standing for knowledge and piety. And if their testimony is worth nothing else, it would seem as if it might be accounted valid for proof, that the relation of the church to the Presbytery, was in no way such a relation as had changed the identity of the church as the legitimate Third church of 1735.

But far more to the purpose is the fact, *of which you do not seem to be at all aware*, that, in February 1784, a Congregational Council—composed in part of all the prominent members of that of February 1775, and called by their explicit advice,—the moderator the same in each,—“unanimously resolved, that the method which Dr. Nathaniel Whitaker adopted to bring the Third church under the jurisdiction of the Presbytery, was *irregular and clandestine*.” And this they resolved, “after having obtained all the light from public records, epistolary correspondence, and personal conversation with the Doctor and his church, that the nature of the case and the constitution of congregational churches admit.” They commenced their session February 10, and their Result was promulgated February 26th.

The Result throughout recognizes the church, subsequently called the Tabernacle, as being the same 'Third church over which Dr. Whitaker was settled in 1769; and which, as the Council unanimously declared, was Congregational at that time. By this same Result, Dr. Whitaker was removed in disgrace from his pastoral charge. And when in his desperate circumstances he published his strictures upon the doings of the Council, he was answered by Rev. John Cleaveland, who triumphantly vindicated himself and his brethren. And Mr. Cleaveland, it should be remembered, was the leading member of the Council of February 1775.

The Result of the Council of Feb. 1784, thus indirectly, but really *reversed or nullified the decision of that Council of 1775*, so far as that decision had any title to respect, in determining the question before us. The whole foundation of the claim of the 14 brethren and 24 sisters, who had been recognized as if the Third church, "in a reasonable and just construction,"—was thus undermined and annihilated, by the agency of the very men, who were most efficient in that extraordinary proceeding.

The actual merits, however, of the decision of the Council of 1775, have never, according to our knowledge, been made a subject of public discussion, at any time or in any manner; and the "evidence to support the counter claim" *has never been made known to the community*, in any regular form or adequate degree. Yet we have always supposed, from our observation, reading, and other sources of judgment, that the evidence has been so well understood in essential facts, and so correctly appreciated,—that our claim to be the Third church formed in 1735, has in truth been contested by none, except your predecessors and yourselves. The popular impression is well indicated by the fact, that the intelligent and disinterested gentleman of the Episcopal church, who first drafted the order of procession, at the late celebration of Independence, gave the Tabernacle School the place of the church of 1735, without the least idea that it would be disputed. And the incident is the more worthy of notice, because that gentleman originated in the bosom of your own society.

You will bear with us when we add, that certain published statements of a comparatively recent date in favor of your claim, are so *irreconcilable with facts*, which as we apprehend, can be abundantly substantiated,—that it is not easy for us to believe, that the whole truth of history in the case could ever have been fully considered or known.

The Centennial Anniversary Discourse of the Third church of 1735, was preached by the pastor of the Tabernacle. You will there find a very different view of the history of the church, from that since presented among yourselves, and published to the world. The statements are so conflicting, and the discrepancies so marked, that they alone furnish a sufficient reason, as we feel, for our earnest desire, that the question before us should, if possible, be settled forever by mutual concurrence: That we ourselves most conscientiously contest your claim, and have never admitted it,—as of course you will acknowledge,—is of itself reason more than

sufficient. If we had imagined, that the conflicting claims would have ever met, as at the late Anniversary of Independence, we should certainly have followed the advice of mutual friends, both distinguished clergymen and laymen, who expressed their surprise, three years since, that we did not at once appeal to the public, and make known the "evidence to support a counter claim."

We should much prefer now to have the point in controversy amicably adjusted, without any such appeal. We cannot see how the discussion of the question between ourselves, or a reference of it to the judgment of mutual friends, would necessarily or reasonably "endanger the peace and harmony" of the two churches. On our part we have no consciousness of any feelings, wishes or purposes, which need be followed by any such consequence. Any thing which we can consistently do for the continuance of peace, and the promotion of harmony, we shall do, spontaneously and most cordially. But *we cannot concede what we deem to be our unalienated and unalienable rights*, or consent to falsify our Records as a church, and the truth of history, as in our view of the subject we inevitably should,—if we were to admit the claim, which, for the first time, has now laid upon us the urgent necessity of the action which we have taken, and which we have communicated to you, in the utmost kindness of christian fellowship.

In those recent "transactions," there certainly was a "disagreement," which we had thought was no less "unpleasant" to you than to us. And if there really was no "difficulty," or in other words, no *obstruction* or *embarrassment* to be removed,—then we know not why there was any occasion for that mode of settlement which was finally adopted, and to which we do not wish, under any circumstances, to be obliged to recur again.

These suggestions we now submit to you, with the fervent desire, that you would reconsider your decision, by which you have declined to meet us in the manner proposed in our communication of Oct. 20th.

With christian regard and sincere good will,

On behalf of the church and the committee,

S. M. WORCESTER,

*Chairman of Committee.*

The foregoing letter was communicated to the Third Church by the Pastor, and was referred to a committee, who were instructed to take it into consideration, and report to the church what action should be taken upon it. After due deliberation, and consultation, the committee made a Report to the Church on the evening of Dec. 22, when it was unanimously voted that said Report be communicated to the Pastor of the Tabernacle, with a request that he would lay it before the church. A copy of the Report was accordingly sent to the Pastor of the Tabernacle Church, with an introductory note, signed by B. EMERSON, in behalf of the committee, on the 26th of December. The following is the

#### R E P O R T :

The committee, to whom was referred a communication from a committee of the Tabernacle Church, dated Nov. 13, 1846, have attended to that subject, so far as has been convenient, and ask leave to report: That they see no cause to change the opinions and statements contained in their former Report. They would remark, in the first place, that no evidence has been adduced, or alluded to, of which they were not fully aware, although the Tabernacle committee consider us entirely ignorant of certain documents, to which they refer, as conclusive evidence in their favor. The Council of February 1775, is said by them to have been *ex parte*, and never to have been acknowledged by them as of any authority. We were aware that the Council was not a *mutual* one, but we have ever considered their decision just—and our church has from that day been “considered and called the Third Congregational Church,” or the “Third Church of Christ in Salem”—and is recognized as such in various historical records. In particular, we would refer to Felt’s Annals of Salem; the intelligent and worthy author of this work having been reared in the very bosom of the Tabernacle church, and for many years one of its members, could have no bias in favor of our claim. We find, that in his Annals, in every instance in which our church is referred to, (and it is almost every year from 1775 to 1783) it is called the *Third Church*,—while during that whole period, the Tabernacle church is called by *that name*, or as *Dr. Whittaker’s church*. We would also refer to Hayward’s Gazetteer, recently published, in which the origin of our church is giv-

en in 1735, and the succession of pastors from Mr. Fisk, down to the present pastor. Also, to a Catalogue of the Library of the First Church, printed about 20 years ago, in which Mr. Huntington is spoken of as the "Pastor of the *Third Church*, (now *commonly called* the New South), of which Rev. Brown Emerson is the present pastor." Also, to a correspondence between a committee of the First church and a committee of the Tabernacle church, published in 1832, in which our church is spoken of by the former committee as the "*Third church*," and our Pastor is called the "Pastor of the *Third church*." Many other documents exist, in which our claim is recognized; and even in a pamphlet published under the direction of the Tabernacle church in 1819, our Pastor is designated as "Pastor of the *Third Church*," in his Right Hand of Fellowship at the ordination of Mr. Cornelius as Pastor of the Tabernacle church, [as colleague with the late Dr. Worcester.] And we repeat, that we are not aware of any publication to the contrary, which has not emanated, either directly or indirectly, from the Tabernacle church or society. We well knew that Dr. Whitaker and "*that part* of the church which adhered to him," claimed to be the *Third church*, and that the *Presbytery* to which they became subject, recognized this claim—and this of course was well known to the Council of 1775.

We were also fully aware of the Result of the Council of February 1784, of which the Tabernacle committee suppose we have never heard; and of which Result the committee say—"It *throughout* recognizes the Church subsequently called the *Tabernacle church*, as the *same Third church* over which Dr. Whitaker was settled in 1769;" and that "it completely *nullifies* and *reverses* the decision of the Council of 1775;" and that thus "the whole foundation of the claim of the 14 brethren [&c.] was undermined and annihilated by the agency of the very men who were most efficient in that extraordinary proceeding—the most prominent members of both Councils being the same, and the same Moderator in both." But we feel the strongest conviction, that the whole object and design of the Council of 1784, is entirely and most strangely misunderstood by them. This Council, by the way, was also an *ex parte* one, with which our church had nothing to do—and it is difficult to perceive why the Result of 1784 should be deemed of so much importance, while that of 1775 is set at naught on the ground of its being *ex parte*. But, as before intimated, there was no such "undermining" and "annihilation" as is alleged—

as a careful examination of the Result, we are fully convinced, will satisfy any unprejudiced mind.

To understand the matter, it must be recollected that the Council was called by the church *alone*, a few days after they had renounced Presbyterianism, and re-assumed the Congregational form; and that Dr. W. protested against the action of the church, and against the authority of a Congregational council in the case—he being a Presbyterian, and claiming that the church, by the very act of settling him on the conditions proposed by him, became Presbyterian also; and if not fully so at that time, that they certainly did, when they became connected with the Presbytery, and (after the meeting-house was burnt) erected the Tabernacle expressly for a *Presbyterian* church, and which had been occupied by them as such up to that time, (Jan. 1784.) The Council, being thus assembled, and finding these objections raised, went into a full examination of the whole transactions from the time of the Doctor's settlement—and in their Result, they in the first place, “Resolved, That the *Third Church* was *Congregational* when Dr. Whitaker settled with them in 1769.” This met and answered the Doctor's first objection as to jurisdiction. They next “Resolved, That the measures which Dr. Whitaker adopted to bring the said *Third Church* under Presbyterian rule and authority, were clandestine and irregular”—but no intimation is given that the *Third Church*, was ever brought under such authority. They then “Resolved, That the part of said Church which adhered to Dr. Whitaker, and was thus brought under the Presbyterian judicatory, (and which had, before the issuing of the letters missive, renounced all subjection to Presbyterian rule, and re-assumed the Congregational form) had a full right within themselves to re-assume said mode,” &c.—thus meeting the ground taken by the Doctor, that, having voluntarily placed themselves under Presbyterian rule, and covenanted with him as the Pastor of a Presbyterian church, their relation could only be dissolved by mutual consent, and by the Presbytery.

The remaining Resolutions relate entirely to “*that part of said church*” which had thus become Presbyterian—and no mention is made of the *Third Church* again in the whole Result—but this name is carefully avoided, and in every instance the church is designated as “the church usually meeting in the Tabernacle,” or some similar appellation. And it is worthy of particular notice, that in the Preamble to the Result, no mention is made of the “*Third Church*,” but the

Council is said to be convened "to consider the difficulties subsisting between the Rev. Dr. Whitaker and the church which had received him as their Pastor." The 4th Resolution recognizes them as "*a sister church*" in full fellowship; and the Sermon before the Council, together with the Result, which was published at the time, was dedicated by the preacher, Rev. Mr. Forbes, not to the "Third Church and Society"—but to "the Church and Society usually meeting in the Tabernacle."

It thus appears that the Council of 1784, so far from "reversing" or "annulling" the decision of 1775, (as our Tabernacle friends affirm) avoids all allusion to that Result—and only refers to the *Third Church* as it existed as a *Congregational Church*, before "*that part* of it which adhered to Dr. Whitaker" departed from Congregational principles, and was, as they say, by the Doctor's "clandestine and irregular" methods, brought under Presbyterian authority.

Besides, if the Council had intended to give "*that part of said church*" the title and standing of the Third Church of 1735, (which most of them had previously given to our Church) they were bound to inform our predecessors of the fact—as they were not *organized* as a Church, by the Council of 1775, but only *recognized* as already existing as the Third Church, established in 1735—so that, if that decision was annulled, we have no Church standing at all.\*

The Tabernacle committee say, that the Church, under Dr. Whitaker, "never, by any vote, resolution, or other act, became otherwise than Congregational." In reference to this point, we remark, that so far as *the Church and Society* in the old meeting house is concerned, we freely admit that *there was no such vote*—and this fact we deem a strong point in our case. But it certainly appears from the Result of the Council of 1784, to which they so confidently appeal, as well as from their own Records, that *those who adhered to Dr. Whitaker*, and afterwards constituted "the church usually meeting in the Tabernacle," actually became Presbyterian, and remained under Presbyterian authority and rule, from 1774, to January 11, 1784, when they *as a church* renounced Presbyterianism, and by a vote *withdrew from the Salem Presbytery*, and then resumed the Congregational mode, as the following votes of that Church will show :

"1784—Jan. 7. *Voted* unanimously, That as we think, upon mature deliberation, we cannot enjoy the liberties and privileges of a church of Christ, under the exercise of the Presbyterian church government, that *we do hereby with-*

*draw ourselves from the Salem Presbytery, and do declare ourselves no longer under, or subject to, any Presbyterian government whatever.*

“*Voted,* That a committee be chosen to wait upon the largest proprietors, to see if they will assent to or approve what the church have done at this meeting, and to call a Proprietors’ meeting for the above purpose.”

“1784—February 11. *Voted,* That whereas we have *renounced* the Presbyterian judicatory, and all subjection thereto, we do hereby *re-assume* the Congregational mode of government.”

They then invited a Congregational Council, who decided that “said church was under no sacred obligation to *continue* under the Presbyterian form, as the moneys collected as *free donations* from Presbyterian Societies bore so small a proportion to the whole expense of the house called the Tabernacle.”

How they could *renounce* Presbyterianism, and *re-assume* the Congregational form, if they had all the while been Congregational, is a problem which we leave for others to solve; and with what propriety could the Council resolve that the church was under no obligation to *continue* under Presbyterian authority, if, as is now alleged, (more than 60 years afterwards) they were never under such authority!

As a further proof that the church, under Dr. Whitaker, was *actually Presbyterian*, we would refer to the fact that at a meeting held on the 1st of Sept. 1776, agreeably to public notice given to choose Elders, Mr. Hiller (one of the Elders) was appointed to attend the *Synod and Presbytery* at Londonderry, with Dr. Whitaker. We also quote the following extract from the doings of the Salem Presbytery, at their session at Groton, June 11, 1784. In answer to the vote of the Council of 1784, respecting the “clandestine and irregular” methods of Dr. Whitaker, the Presbytery say, “We have the fullest evidence that the said church was brought under the care of this Presbytery in as fair, open and candid a manner as possible, even by the earnest desire, choice and request of a large majority, which evidence we have, not only from original papers now in our hands, but also from the declarations of those very men (who *now* represent the Doctor’s conduct in this matter as clandestine) which they openly, boldly and resolutely made before this Presbytery, in Salem, in 1774, when the same objection was made by his adversaries; therefore, their declaring the contrary *now*, after TEN YEARS’ QUIET SUBJECTION TO THAT

body, is a direct contradiction of themselves, and proves them so unstable and wavering, that their testimony in matters of controversy in which they are interested, is not to be relied on ; that they say, and unsay, to serve a favorite purpose.”

This, it will be remembered, is the language of the Presbytery in 1784, after those who adhered to Dr. Whitaker became Congregational, [and his connexion with them had been declared to be dissolved.]

As to the actual *dismissal* of the 14 brethren, &c. from the *Third Church*, as the committee say, “*for five months previous*” to the sitting of the Council of 1775, we affirm without hesitation that *no such act* was ever done *by the church*. The only pretence that they were dismissed, is grounded upon some action of the *Boston Presbytery*, which met in Sept. 1774, and voted that said members should be dismissed, without censure, (as the Record states) “from the *Presbyterian* church under the care of Dr. Whitaker,” if not returning to the communion before a certain date. But, as it is admitted that they were members of a *Congregational* church, the *Boston Presbytery* could have no authority or control over them—and we are at a loss to know on what ground our Tabernacle friends can declare that they *were dismissed*, or *could be thus dismissed* from a church, “all whose acts, resolutions,” &c. as they now assert, “were Congregational during the whole of Dr. Whitaker’s” ministry. That they were in fact *not* dismissed, is evident from the testimony of an important witness brought forward by the Tabernacle committee, the Rev. John Cleaveland, of Ipswich, who declares, in his pamphlet in defence of the Council, to which they refer, that “the Council of 1775 found much difficulty from the Dr. and his Session claiming these 14 brethren, &c. as belonging to them.” It may also be stated, in this connexion, that the same Presbytery which pretended to *dismiss* the 14 brethren, &c. without censure, afterwards *excommunicated* the Tabernacle church.

The assumption that our predecessors “*left the premises*,” and therefore ought to be understood, when organized, “a new church, a new body, &c. in accordance with immemorial usage,” deserves to be considered. The true state of the case we believe to have been substantially as follows:—The house of worship, of the Third Church, which stood on Old Paved Street, was burnt down on the 6th Oct. 1774, and,

as Dr. Whitaker says, "the Corporation" or "the Proprietary" was dissolved. A legal meeting of the proprietors of the late House was held on the 17th of the same month, at which votes were *unanimously* passed, disapproving the late *innovation* of Presbyterianism, and Dr. Whitaker's method of making said innovation. It appears that the committee of the Society refused to call this meeting, whereupon application was made to a Justice of the Peace, who issued the warrant, and the meeting was held accordingly, but was probably attended only by such of the "14 brethren" as were proprietors, and those who, with them, preferred the Congregational forms. Benjamin Ropes [one of the 14] was chosen Clerk *pro tem.* of this meeting. The Congregational portion of the Society, including the 14 brethren and 24 sisters [who were still members of the church] immediately took measures to procure a house of worship; and in about a month purchased the Assembly House, and fitted it up for a meeting-house. It was opened for public worship on the 18th of December, a little more than two months after the former house was burnt, and Mr. Hopkins began to preach for them—and, as we learn from Mr. Worcester's Centennial Discourse, "a very respectable Society soon surrounded and sustained the brethren." That a large proportion of the Society were dissatisfied with Dr. Whitaker, besides the "14 brethren &c." and went with them to the new house, appears from the fact, that a few months previous to the fire, *fifteen proprietors* advertised their pews for sale—only 4 of whom were among the "fourteen brethren."

The friends of Dr. Whitaker, who preferred the Presbyterian forms, also adopted measures for procuring a site, and the erection of a meeting-house for *him*, to be called the *Tabernacle*—and the plan and conditions on which the subscriptions were raised, were such as to render the Church and Society, in the fullest sense of the term, **PRESBYTERIAN**—so that, whatever may be said respecting the "clandestine and irregular" methods by which the Dr. had attempted to bring *the church* in the *Old House* under the Presbytery, such a plea can surely have no weight in reference to *that part* of the church which adhered to him and built the Tabernacle, on the plan referred to—for those measures were deliberately and cheerfully adopted. Appeals were made to the Presbytery of Massachusetts, and to the Synod of New York and Philadelphia, for aid in erecting the Tabernacle, expressly on the ground that, having "lately become Presbyterian, they could not expect much aid from the Congregational churches

of Massachusetts. The plan was dated Nov. 4, 1774, and the Appeal to the Presbytery Nov. 8, 1774. This plan was under consideration for several months, and was not finally completed until March 1775, after several public meetings. [For a more particular account of the plan and conditions on which the Tabernacle was built, we refer to an entry made on the Records of the church, by Dr. Whitaker.\*] On the conditions above alluded to, about 440 pounds were subscribed by the Doctor's friends in Salem, and considerable sums were raised abroad, in answer to their urgent appeals to the Presbyterians throughout the country. The Tabernacle was raised and covered in 1776, so that it could be occupied, but was not finished until several years afterwards. It is understood that the Doctor's Society held meetings in the Court House, prior to occupying the Tabernacle.

It thus appears, that when the Council of February 1775, met at Salem, they found a respectable Society regularly worshipping in their meeting-house, (Mr. Hopkins preaching for them) who claimed to be Third Congregational Church and Society—and they also found that Dr. Whitaker and his friends were making earnest efforts to raise funds for the purchase of a site, and the erection of a house for themselves as a *Presbyterian* church and society—yet claiming to be the original Third Church. The Council, having spent three days in investigating this matter, came unanimously to the decision, that the 14 brethren and 24 sisters (who remained Congregational) were the real Third Congregational Church, formed in 1735, &c.† This Result of the Council was publicly read in presence of the church and congregation,—and the church renewed their covenant as the *Third Congregational Church of Christ* in Salem, in presence of the Council.

We disclaim altogether the idea referred to by the Tabernacle committee, that our "church is 40 years older than our society"—and claim to be not only the successors of the Third Church, formed in 1735, but also of the Society connected with that Church—on the same principle, that we consider the Society now worshipping in the present South Meeting House, the same Society which existed prior to 1805, and worshipped in the old house in Cambridge street, although legally a *new corporation*, the old "corporation" having been dissolved, and the house and land sold, after the new

\*See also a subsequent portion of this pamphlet, for a particular account.

†See Note A. at the end of this Report.

house was built. And we consider “*that part* which adhered to Dr. Whitaker” as forming a new Presbyterian *Society* as well as *Church*. But, however this may be, we have ever considered the Church and Congregation as two distinct bodies ; and we quote with great pleasure the following paragraph from the Centennial Discourse of the present Pastor of the Tabernacle Church, as expressing the views always entertained by the Third Church :

“A Christian Church is, by the very act of formation, separated and distinguished from the Congregation or Society, with which, for the general purposes of worship, it is intimately connected. The Congregation do not choose the officers of the Church, nor prescribe its Confession of Faith and Covenant. The “thirty brethren” who composed the First Church in this town, were not constituted a Church by the Congregation, but *by their own act*, in adopting a Confession of Faith and a Covenant, and electing appropriate officers. In all the proceedings, the voice of the other part of the community was not heard ; for the very palpable reason, that they had no title to participate in the proceedings. The Church, *as such*, is as independent of the Congregation, as the Congregation is of the Church. Those *judicial decisions*, therefore, which in our age have identified the Church and Congregation, are supported by arguments, which, I am constrained with a respectful deference to say, the history of the country proves to be, *not of truth and justice*, but of *error and oppression.*”

As a strong confirmation of the view of the separation above presented, we copy the following from Bentley’s History of Salem, published in the Historical Collections, 1799. Speaking of the Third Church, he says:—“The meeting-house erected in 1735, was burnt down in the Great Fire of Oct. 6, 1774, and *the congregation was THEN divided*. Those who separated from Dr. Whitaker purchased an Assembly House, built in 1766, and took the name of *Third Church*. The deed was given Nov. 25, 1774, and it was prepared for public worship Dec. 18, following. (Dr. Whitaker had claimed to be under Presbyterian government from 1769.) Mr. Daniel Hopkins preached for them, and was ordained 18th Nov. 1778. Dr. Whitaker and his friends erected a meeting-house called the *Tabernacle*, in 1776—but divisions arising, he was removed in 1784, and died in Virginia. Mr. Joshua Spalding was ordained in the Tabernacle, Oct. 26, 1785.”

So much for our “*leaving the premises*,” on which so much stress is laid.

The Tabernacle Committee say, in behalf of the Church, that “we can *never consent* to surrender our *unalienated* and *unalienable rights*, or *falsify our records*, and the *truth of history*, as we must do, were we to admit your claim,” &c. The only alternative, then, seems to be, for our church to surrender a claim which they have ever considered to be well established, and which has been, as we contend, generally recognized,—and give up a name which has ever been borne on all their records and official acts, and also in a considerable number of printed sermons, etc. both of our former and present pastor, during the last 70 years, copies of which may be found in the Library of the Atheneum—in all of which they are called the Pastors of the *Third Church*—while all such as have been published by the Pastors of the Tabernacle church, from Dr. Whitaker’s successor, (Mr. Spalding in 1785) down to the present pastor, are expressly stated to have been delivered by the Pastors of the *Tabernacle* church. It should also be stated, that not only in the Records of the Church is it called the *Third Church*, but in all the Records of the Society, (the old house and the new) is the same name given to the Church—and the votes of the Proprietors are recorded as “concurring with the *Third Church*,” in the call to Mr. Hopkins in 1778, and to our present pastor in 1805. So far as the “*falsification of records*” is concerned, therefore, we find a strong objection to allowing the claim of the Tabernacle to be the original Third Church,—as we should thus “falsify the Records” not only of our Church, but also of our Society.

The committee speak of “*certain published statements of a comparatively recent date*,” as being “so utterly irreconcilable with facts, which they apprehend can be abundantly substantiated, that it is not easy to believe the whole truth of history in the case could ever have been fully considered or known”—and they refer to the Centennial Discourse, preached by the present Pastor of the Tabernacle in 1835, as, they say, “presenting a very different account of the history of the church from that since presented among yourselves, and published to the world”—referring here to the Anniversary Sermon preached by our Pastor in 1843. It might be supposed, from these statements of the Tabernacle committee, that our claim to be the successors of the original Third Church, was of “*recent*” origin, and had not before been “*published to the world*.” But the fact is, that the

Sermons above referred to, in which our Pastors are designated as of the *Third Church*—Dr. Bentley's History of Salem—and Felt's Annals of Salem—had long been before the public—some of them more than half a century; and in a Sermon preached by our Pastor on the interment of the late Dr. Hopkins, and published about 32 years ago, substantially the same ground was taken as in his late Sermon, which is now referred to as being so “utterly irreconcilable with facts;” and we are not aware that any exception was taken to those statements at that time. In that Sermon we find the following:

“In 1766, Mr. Daniel Hopkins came to Salem, and preached for the Third Church and Society, then vacant by the decease of Rev. Mr. Huntington. During a residence of 12 years, he was most of the time very usefully and acceptably employed as a teacher of youth. \* \* \* \* While thus employed, he preached in several vacant parishes, but declined any invitation to settle, on account of his feeble health. In the meantime, after long and severe contentions in the Third Church and Society, relative to Dr. Whitaker, *a disruption having taken place*, by the *departure* of Dr. Whitaker and his friends from *Congregational* to *Presbyterian* principles, *this church, RETAINING THE ORIGINAL NAME AND PLATFORM*, gave Mr. Hopkins a call to become their pastor. This call he received while a member of the Provincial Council, and accepting the same, he was ordained in Nov. 1778.”

As to the “*discrepancies*” of date, &c. of which so much is said, we are not aware that any evil has resulted during the last 60 or 70 years. The Third Church, formed in 1735, was *Congregational*, and was *one*, until the separation in Dr. Whitaker's time—when “*that part* of the church which adhered to Dr. Whitaker” became a *Presbyterian* church, and so continued for 9 or 10 years—while the residue, remaining *Congregational*, were at the time recognized (as before stated) as the *Original Third Church*, formed in 1735. It is true that the name of *Third Church* was also claimed by Dr. W. and his church for some years after the separation—so that during that period there were nominally *two Third Churches* in Salem, (one *Congregational* and one *Presbyterian*)—as there were *two First Churches* from 1735 to 1762. But as all practical difficulties were prevented, by one of those churches consenting to take the name of *Third church* in 1763, so, by one taking the name of *Tabernacle* in 1785, all practical difficulties were prevented. If, as is

now alleged, the Result of 1784 really reversed or annulled the decision of 1775, which gave us the name and standing of the Third church of 1735, it is a most singular fact, that the very next year the name of *Third* church was given up by those worshipping in the Tabernacle, and that of the *Tabernacle* adopted as the designation of the *church*, as well as the house, which had borne that name from the date of its erection.

There is one other ground on which the Tabernacle committee rest their claim, which should be noticed--and that is the fact, that "the intelligent gentleman of the Episcopal church, who first drafted the order of procession on the 4th of July, gave the Tabernacle school the place of the church of 1735, without the least idea that it would be disputed;" and this incident, "as indicating the popular impression," is considered the more worthy of notice, "because he originated in the bosom of your own society." Now the fact is, that the gentleman referred to made out the order of procession from the list of churches as given in the *Salem Directory* (*published in 1846*, by a member of the *Tabernacle Society*) without considering the question at all whether the Tabernacle or our church should have the precedence. Considering the circumstances of the case, we leave others to judge whether this incident should outweigh the testimony of Felt's Annals, and the various sources of evidence to which we have referred, as "indicating the popular impression."

The Tabernacle committee further say: "That we most conscientiously contest *your* claim, and have *never admitted it*, you of course will acknowledge." And again: "*Our* claim to be the *Third church* founded in 1735, has been contested by *none* except your predecessors and yourselves." They also say: "If the Council of 1775 had any such validity as is claimed, those who called it had a right to take possession of the records, the *church plate*, and all the property of the Third church, however great the amount. But no such possession was either *taken* or *demanded*. What *you have* of the church plate, was *given*, as *you must know*, as a *peace-offering*, long afterwards."

We cannot refrain from expressing our surprise at the statements above quoted, as they appear to us "utterly irreconcilable" with certain matters of record, which we had a right to suppose the Tabernacle committee "must know" to exist.

We have already stated, that the Church, under Dr. Whitaker, claimed the name of *Third* Church—but that some time after he left, they took the name of *Tabernacle* church. The first entry on their Records, after the Council of 1784, is in these words :—“At a meeting of *the church usually meeting in the Tabernacle*,” the title given by that Council; —and this name was continued in their Records until the next year, when the name of *Tabernacle church* was adopted ; and, as it appears, under the following circumstances :

Several years prior to Dr. Whitaker’s leaving the Tabernacle, a vote was passed by the Third Church as follows :—“At a meeting of the Third Church, Jan. 27, 1782, the Church having, at their last meeting, desired some of their members to converse with some of the members of Dr. Whitaker’s Church, in a soft, tender and christian manner, concerning the *Plate, &c. belonging to the Third church*, and now in the possession of the Doctor’s church, now proceeded to choose a committee, the sooner and more effectually to bring about a settlement of said matter—therefore Voted, that Deacon Lang, Stephen Cook, Addison Richardson, and Edward Norris, be the committee for the above purpose.”

Nothing effectual seems to have been accomplished by this “demand” of the “Plate, &c. belonging to the Third church;” and when Dr. Whitaker left the Tabernacle, he retained possession of the Plate for some time, but it finally came into the possession of that church. Things remained in this unsettled condition, until about the time of Mr. Spalding’s ordination in 1785, when another and more successful effort was made to “settle” the interests of the two churches, and to remove the causes of alienation which had existed between them.

On the 16th of October, 1785, a letter was received by the Third Church, from “the church meeting in the Tabernacle,” as the Record expresses it, requesting their assistance in the settlement of Rev. Mr. Spalding on the 26th of that month—which request was complied with, and Mr. Hopkins took part in the exercises. At the same meeting it was “*Voted*, That a committee be now chosen to divide the *Plate, and other interest*, belonging to this and the Tabernacle churches—and that Deacon Lang, John Saunders, Stephen Cook and Edward Norris, be said committee.”

On the 20th of the same month, “the church usually meeting in the Tabernacle” “*Voted*, That they do consent and agree that *the Plate jointly BELONGING to this church and Rev. Mr. Hopkins’s church, and all other interest thereun-*

to belonging, be equally divided between them—they (Mr. Hopkins's church) paying one half of all expenses and charges which have or may arise from the same."

It is worthy of notice, that by the above votes, not only the *Plate* belonging to the two churches was to be divided, but "*all other interest*" thereunto belonging, was to be settled—and also that neither the words "*Third church*," nor "*Tabernacle church*" are used in the resolution of the latter church, ours being there designated as *Mr. Hopkins's church*.

This joint committee, having thus, as it would seem, the whole subject matter in dispute between the two churches, referred to them, met, and on the 19th of December, 1785, concluded the following agreement, viz :

"We the subscribers, a committee *chosen by the THIRD and TABERNACLE Churches, to settle the interest belonging to said churches*, met at the house of William Safford, this 19th day of December, 1785, and made an equal division of all said Plate, being 10 pieces (exclusive of the christening basin) in the whole; and have marked each piece belonging to the *Third Church, Salem*, in the following manner, viz : "*3d Church, Salem*"—also have marked each piece belonging to the *Tabernacle Church* as follows, viz : "*Tabernacle Church, Salem*." And it is agreed by each party, that the whole of said Plate shall be kept together for the mutual benefit of both Churches.

"N. B. The Christening Basin being so large, the committee agree that it shall be melted up, and that two Basins be made of the same, to accommodate both Churches.

"(Signed) John Saunders, Richard Lang, Stephen Cook, Edward Norris, Samuel Jones, William Gray, 4th, William Safford."

[In copying the above from the Records, it was hastily taken in pencil—and it appears upon a re-examination, that by a mere inadvertence, the word *interests* was used by the committee in the manuscript sent to the Tabernacle, instead of *interest*—and also "*the Plate*" instead of "*said Plate*," in the fifth line. The author of the late Pamphlet contends that we have entirely misunderstood the agreement, and that the sole object was the division of the Plate. But it will be observed that the votes of the Churches speak of "*the Plate, and all other interest*"—and the committee say they were "*chosen to settle the interest of said churches*." We presume it will not be denied that the *name* of the Church had been a matter of dispute for 10 years after the Council of 1775—and it is a striking fact, that in no instance previous to this agreement had we been acknowledged by the other church to be the *Third Church*—and it is also a fact that they never afterwards claimed that *name* for themselves. The committee appear to have "settled" this matter effectually.]

The Plate was divided, and marked according to this Report, and was used alternately by the two churches for many years, the Communion being on the *first* Sabbath in the month in the Third Church, and on the *second* in the Tabernacle—the name of *Third church* was thus yielded to our church, while the other took that of the *Tabernacle church*—which names have ever since been retained *in all their Records and official acts*—and it was doubtless understood at the time that *all* questions between the two churches had been amicably adjusted, as in the former controversy between the *First* and *Third* churches, before alluded to. Indeed, the coincidence in the two cases is very striking. In each instance, a separation in the church had taken place; an alienation of long standing had existed, each church claiming to be the original one; in both cases, the original name was retained by one, and another name taken by the other; in both cases the Plate was equally divided; and in both the Right Hand of Fellowship was given by the Pastor of one church to the other, viz: by Mr. Barnard of the *First* church in 1763, and by Mr. Hopkins of the *Third* in 1785; and in both cases the whole arrangement was doubtless understood as a “*peace-offering*”—a peace which was never disturbed in the first case, and which has most happily subsisted for many years between the Tabernacle and the Third church, and which we most ardently desire may continue to exist; and we are not aware that by any vote of the Tabernacle church, until the present year, (more than 60 years since the above “*settlement*” was made) has our right to the name of the *Third Church* been disputed.

The *Records*, previous to 1784, it should be remarked, were not in the possession of either church at the time of the above settlement, Dr. Whitaker having retained them when he left the town, and they were not recovered till many years afterwards. Had the Records been at that time in the possession of the Tabernacle church, it is fair to presume that they also would have been “divided,” those previous to the separation in 1774 being delivered to the Third Church, and those after that date retained by the Tabernacle.

We have thus examined the grounds of our claim to the title and standing of the **THIRD CHURCH IN SALEM**, or the **THIRD CONGREGATIONAL CHURCH**—and we find it sustained by the unanimous decision of the Ecclesiastical Council of 1775, which we contend has never been reversed; we find

it recognized in a great variety of ways, by other Councils, and in numerous historical records, etc., and even by a report [or agreement] of a *joint committee of the two churches*, more than 60 years ago, which was carried into effect, and placed among the files and on the Records of the *Tabernacle Church*!

Under these circumstances, we can see no propriety in again referring these matters to a committee of conference believing them to have been already "settled" by the parties immediately interested, at the time when all the facts in the case were fresh in their memories, and all necessary documents could easily be obtained.

NOTE A.—(Page 19.)

## COUNCIL OF FEBRUARY 1775.

The Council of February 1775, which recognized our Church as the THIRD CHURCH of 1735, was composed of the *Pastors* and *Delegates* from the Second and South Churches in Ipswich, the Third Church in Lynn, and the Church in Stoneham, together with the *Delegates* from the Church in Linebrook. As it was the custom in those days to send not less than *two* Delegates with the Pastor, this Council undoubtedly consisted of at least **FOURTEEN** members,—and very probably a larger number, as we find that the Pastor and *four* Delegates were chosen by the Third Church, to assist in the ordination of Mr. Spalding, as Pastor of the Tabernacle Church—and in every case, for about twenty years succeeding 1775, in which the Church was called to meet in Council, the number of lay delegates varied from *two to four*, according to distance and other circumstances.

It should be recollect that the Presbytery had undertaken to *dismiss* those who called the Council, (but who yet considered themselves the Third Church) from Dr. Whitaker's Church—and also that the Dr.'s Church claimed to be the Third Church. They had met for public worship for about two months, in the meeting-house they had procured after the old house was burnt—but, under the peculiar circumstances of the case, they deemed it proper to ask the advice and assistance of the neighboring Ministers and Churches.—The Council, as will be seen by the following copy from the Record, went into a thorough examination of all the circumstances of the case—their controversy with Dr. Whitaker, the alleged “*dismission*” by the Presbytery, &c.—and came *unanimously* to the conclusion that they ought to be considered the ORIGINAL THIRD CHURCH, of 1735.

We give the Record *entire*, that our readers may judge for themselves whether the Council organized a *New Church*, as the author of the late Pamphlet would have us believe.

### RESULT OF COUNCIL.

“ *At Salem, — Feb. 14—16, 1775.*

“ The Pastors and Delegates of four Churches, viz: the 2d and South in Ipswich, the 3d in Lynn, and the Church in Stoneham, together with the delegates of the Church in Linebrook :

“ Being met and formed into Council, in consequence of letters received from Benjamin Ropes, John Saunders, John Gardner, Daniel Chever, Timothy Pickering, jr., Nathan Goodale, James Nichols, Addison Richardson, Jonathan Very, Robert Peele, Stephen Abbott, Samuel Symonds, Thomas Needham, and John Waters—Representing that the Boston Presbytery, sitting at Salem, in Sept. last, had declared them (together with many Sisters of the Church, provided they did not return in the time limited, now past) to be “*dismissed from the Church under Dr. Whitaker's pastoral care,*” but without censure; and requesting advice and assistance in a re-establishment in church order :

"After prayer to the Father of lights, a letter from the Rev. Dr. Eliot, and another from the Rev. Dr. Cooper, were read; in which they in the name of their respective Churches (whose assistance had also been requested) in a very obliging manner, and to the satisfaction of all present, gave the reasons which prevented their affording their assistance.

"The Elders and Delegates who had met here at the request of the above named 14 brethren on the 10th of Jan'y last, exhibited their papers and gave some account of the steps they had taken.

"A charge made at that time in the name of the Session, of a wilful misrepresentation of matters in the first letters missive, was carefully attended to, and was answered to the satisfaction of the Council.

"A letter from the Rev. Dr. Whitaker, in the name of the Session, was read, containing a reply to the answer of the 14 brethren to their late proposal of a mutual council—also laying many things to the charge of those brethren, but withal expressly refusing to support any of the charges before said Council. An answer to said letter was ordered.

"Many papers exhibited by the 14 brethren were looked into—many enquiries made. And after serious and careful attention to the best light which could be obtained, the following Resolutions were *unanimously* come into :

"1. It appears to us that the above-named Benjamin Ropes, &c., together with those Sisters above referred to, are in a reasonable and just construction *the Church* which existed in Rev. Mr. Leavitt's day, and was under his pastoral care; and which, before the ordination of Rev. Mr. Huntington, consented to take the name and style of the THIRD CONGREGATIONAL CHURCH OF CHRIST IN SALEM; and that they are entitled to all the privileges of that Church.

"2. We find nothing that ought at all to deprive them of the communion of the churches; and we recommend to them the *renewing* of their Covenant, with God and with one another, at this time; and agree that the fellowship of the churches be *renewedly* given to them as a Church in good standing.

"3. We are of opinion that the said 14 brethren have given (in writing and otherwise) sufficient reasons for their non-compliance with the proposals for a mutual council which were offered them by the Session; and that their compliance with proposals of that extraordinary kind would have been extremely imprudent and dangerous.

"Considering their peculiar circumstances, we recommend it to them as the most agreeable measure, and tending most to their edification, to seek a Pastor.

"Although nothing in the character or conduct of any one of these brethren has been manifested, which demands our censure, yet, as we cannot suppose that they are not men of like passions with others, we recommend to them that this time of their solemn renewal of covenant be a season of serious reflection upon every instance wherein any of them, in the days of temptation, may have failed of their duty.

"Finally, we would address these our beloved brethren in the language of Inspiration, '*Only let your conversation be as it becometh the Gospel of Christ.*'—We earnestly recommend to them that forgiving spirit, that benevolent, inoffensive prudent conduct, which becomes Christians, and is their defence and glory. And our prayer is, that the God of love and peace may be with them.

*In the name of the Council.*

JOSEPH ROBIE, *Moderator.*

The foregoing Result, having been unanimously *Voted*, was publicly read, and after it the Covenant which had been subscribed by the brethren in the presence of the Council ; which, being done, the Rev. Moderator declared fellowship with them as a sister church in regular standing : And after the singing of a Psalm suitable to the occasion, concluded with prayer."

[Then follows the Covenant, which was signed on the first day of the session of the Council, commencing thus :—]

“ The Covenant of the *Third Congregational Church in Salem*, solemnly RENEWED in presence of the Venerable Council assembled at Salem, the 14th day of February, 1775,—being the substance of the Covenant entered into by *this Church* when the *Rev. Dudley Leavitt* was *Pastor thereof*, and which heretofore was agreed upon by the First Church in Salem, of which the said Third Church was a part.

“ We, whose names are underwritten, members of the Third Congregational Church in Salem, \* \* \* \* do solemnly, in the presence of the eternal God, both for our own comfort and the comfort of those who may be joined unto us, *renew our covenant* with the Lord and with one another,” &c. &c.

Now we would seriously inquire of any candid reader, whether he would ever have suspected that either the Council or the Church understood the above proceedings as the *Organization of a New Church*, if the author of the recent Pamphlet had not made known his wonderful discovery of a fact which has eluded all eyes and ears since 1775 !

No reply to the foregoing communication was received from the Tabernacle Church ; but, a few months after its date, a pamphlet of some 50 pages, in support of their claims, was printed by order of that church, and extensively circulated. At a meeting of the Third Church, on the evening of May 4th, this subject was referred to a committee, who made the following Report on the 18th of May, which was unanimously accepted by the Church :—

#### R E P O R T .

The Committee of the Third Church, to whom was referred the pamphlet recently published in support of the claim of the Tabernacle Church to be considered the Original Third Church of 1735, ask leave to Report :—

That the letter from the committee of this Church, dated Dec. 22, was communicated to the Tabernacle Church, on the 29th of January, by their Pastor, accompanied, as he says, by “some critical, and perhaps occasionally some *stringent* remarks”—when it was immediately voted, that the Report of the Pastor, which had been presented several months before, and the Correspondence between the two Churches, together with the Remarks upon our last communication, should be published. Had this course been followed, it probably would not have been deemed necessary for this Church to have taken any further action on the subject, leaving the matter to the impartial decision of the public. But, for very obvious reasons, it has seemed good to our brethren to pursue a different course. The vote above-mentioned was soon afterwards reconsidered, and another was passed, leaving it to the discretion of the Pastor to cause to be printed such portions of the Report, Remarks, &c. as he may deem expedient. A pamphlet of 56 close pages has accordingly been printed, as “a convenient document for information and reference.”

Your committee have read this pamphlet carefully, and must express their surprise at the change of ground in several important particulars—so that certain points which make so prominent an appearance in their last communication to us, seem to have lost all their importance, and we look in vain for them in this document which has been so carefully prepared. We were assured, last November, that the Council of 1784 completely nullified, reversed, undermined and annihilated the decision of that of 1775, and that too by the

"agency of the very men who were most active in that extraordinary proceeding," (particularly Mr. Cleaveland), and that "the result throughout recognized the church subsequently called the Tabernacle, as the same Third Church over which Dr. Whitaker was settled in 1769," and we were rather taunted for our ignorance of so important a fact! In our Reply, we endeavored to show them that they were entirely mistaken in their views of the Result of that Council; and the very different manner in which this Result is spoken of in the pamphlet just published, and especially the manner in which Mr. Cleaveland is treated, indicates that they have found "more light" on that subject, and have felt obliged to abandon that portion of their "argument." And here, it is very evident, is one reason why it was not deemed "expedient" to publish the whole of the correspondence, &c.

We were also told that the portion of Plate belonging to the Third Church, which we have, was "given" to us, long after the separation, "as a peace-offering"—was *given*, as a matter to which we had no just claim. This certainly appeared to us to be a very strange statement, as we had found on their own Records a vote recognizing the Plate as "*jointly belonging*" to the two Churches—and more especially as we had there found the Report or Agreement of a "Committee chosen by the Third and Tabernacle Churches, to settle the interest belonging to said Churches," who divided and marked the Plate as before stated. (p. 25.) But these statements are accounted for, in the pamphlet under consideration, as the author admits (notwithstanding the thorough examination of the Records &c. to prepare his Report) "he had never seen" the report of the committee, "and never heard of it, until it was discovered by some of our brethren of the South Church"—but with what propriety he now calls it a "*private agreement*" we are unable to discover. On this point, too, he seems to have obtained more "light"—so that the division of the Plate is no longer a *gift*, but a matter of "*equity*."

We were also told, in reply to our assertion that the Dr's Church had become Presbyterian, that the Church, during the whole period of Dr. Whitaker's *usurpation*, "never by any act, vote or resolution, as a church, became otherwise than Congregational."

But we are now told, (p. 51) that notwithstanding the irregularity of the proceeding, by which the Dr. obtained the

consent of a majority of the male members, "the majority were willing to be connected with the Presbytery"—"and *the church* was just as *really connected with the Presbytery*, as if a formal vote had been taken, after open and protracted debate !

In regard to the alleged *dismissal* of our predecessors, nothing new has been adduced. There is *not a word on the records of the church* to show that they were dismissed by that body—and, as it is admitted in this pamphlet that they "utterly disclaimed the Presbyterian authority," and that no vote had ever been taken *as a church* which could subject them to such authority, it is perfectly evident that the Presbytery had no right to discipline or dismiss them; and any act of that kind must be null and void, except as exercised over "that part of the church which adhered to Dr. Whitaker," and in an informal and irregular manner placed themselves under its jurisdiction. We are not aware, however, that a Presbytery can discipline or dismiss members, unless the Church has first acted, through the Session; and we have yet to learn that it is consistent either with Presbyterian or Congregational usages, to *dismiss* members, against their own wishes, *without censure*, and without a recommendation to other churches! But on this subject, too, a glimpse of "light" has been recently obtained—for, notwithstanding the alleged *dismissal* forms so important a feature in his argument, the author now admits (p. 53) that in 1775 "Dr. Whitaker claimed some right to these brethren, as yet belonging to his church"—and he adds, "he might in a sense *so consider them*, until they had been recognized as members of some other church." Here is another point abandoned.

The Council of 1775, it will be understood, recognized the "ancient distinction between the *church* and the *congregation*," which was so ably and earnestly advocated by the present Pastor of the Tabernacle church, in his Centennial Discourse, a paragraph from which was quoted in our last communication, (p. 20) but which is not acknowledged by most of the individuals to whom he now refers, as sustaining the claims of the Tabernacle church. But we feel confident that even on their ground, our claim is fully sustained by the facts in the case. The Society worshipping in the old house, all will admit, was *Congregational* from its origin; and no vote, or other act, had been adopted by them as a

Society, or in any way by a majority of the members of the Society, which recognized *Presbyterianism* in the least degree; on the contrary, at a legal meeting of the Proprietors, held after the house was burnt, votes were unanimously passed, disapproving the late innovation of Dr. Whitaker, &c.

It is evident, then, that the separation did not take place till after the house was burnt, and, as Mr. Cleaveland expresses it, "his society, as a corporation of proprietors, was dissolved, and all contracts with the Doctor, for his temporal support, ceased," and "the Doctor's people began to raise money for his support, by a weekly contribution, and by a subscription." Indeed, the author of the pamphlet now admits, that "it was not until after the house was burnt that the strong wall of partition between the majority and the minority was thrown up in sight of all the inhabitants of the place. Hence it has been common to speak of the separation as occurring *after the fire* of Oct. 6, 1774."

As before stated, the Congregational portion of the Society immediately procured another house of worship, which was soon after dedicated, and the Church was recognized as the Original Third Church. In the deed of the "large house and land," dated in Nov. 1774, the names of 23 individuals are given, who, with such others as should become pew-owners, were to be the Proprietors. Of the 23 named, only a small portion were of the "fourteen brethren," the others being members of the *Society*, but not connected with the *church*—making together 35 males whose names are mentioned either as members of the church or as pew-owners. This confirms our previous statement, that a large and respectable Society was gathered in the new place of worship; and it is farther proved by the fact, that it was soon found necessary to enlarge the house, as appears by our Records.

Dr. Whitaker and his friends, also, immediately after the fire, commenced preparations for the erection of a house for a *Presbyterian Church and Society*, as will be seen by the following Plan, which was agreed on Nov. 4, 1774, (less than a month after the fire) after several meetings, and which we here publish, as probably but few of the present members of either Society have seen it:—

"*Extracts from the Plan for building the Tabernacle, dated Nov. 4, 1774.*

"I. Dr. N. Whitaker shall be the founder of said building, and the sole proprietor of the lands which shall be procured for erecting the same.

"II. The said Tabernacle, &c. shall be disposed of by Dr. W's last will and testament, unto his successor in the ministry, for the time being, forever.

" III. The said successor for the time being, shall hold said interest, and have a right to officiate in said Tabernacle, and receive the benefices thence arising, *only so long as he shall be sound or orthodox in the faith and order or discipline of the Gospel, according to the Westminster Confession of Faith, and Directory for Church Government, agreed on by the Church of Scotland, as received and practised by the Presbytery in New England, and by the Synod of New York and Philadelphia.* The said successor shall be approved of, and inducted into his work and benefice in said Tabernacle, *by the Presbytery to which the Church shall, at that time, be subject.*

" IV. In case any objection shall be regularly made to said Presbytery, against the moral conduct or doctrine of said successor for the time being; if said Presbytery shall judge that his conduct or doctrine are so contrary to the Gospel, Confession of Faith, and Directory, as aforesaid, as to be sufficient for his removal, he shall be removed; and then the *Church and Congregation* shall proceed to the choice of another successor, to be *inducted as aforesaid; and so on forever.*"

To this was annexed an obligation, signed, sealed and witnessed, that Dr. W. and his successors should fulfil the plan or scheme, so far as respects himself or them—and the following subscription was subjoined :—

" We the subscribers, in view of the preceding Plan or Scheme, and of the obligation of Rev. Nathaniel Whitaker, thereto annexed, promise to pay, on demand, to said Dr. W. or order, the several sums annexed, to be by him applied for buying of land, and building thereon, as mentioned in the foregoing Plan or Scheme;—and the following subscriptions shall be recoverable in law, by Dr. W. or his attorney, in the same manner as a note of hand."

For more than four months this Plan or Scheme was under consideration; several articles were amended, and one added, on the 6th March, 1775, containing the following remarkable clause, by which they seem to have intended to fix their Presbyterianism as a *Church and Society*, upon an unalterable basis :—

" Provided, nevertheless, that *no alteration* shall be made in any article respecting the *doctrine or order* of the Church, and the *introduction of Ministers.*"

The land where the Tabernacle stands, was accordingly purchased, and the deed given to Dr. Whitaker March 4, 1775, and subsequently recorded. Dr. W. was employed in raising funds for his Society as *Presbyterians*, for a considerable time, and the Tabernacle was built on the model of Whitefield's Tabernacle in London. After it was opened, Dr. Whitaker preached there till March 1784—and *no dispute in relation to Presbyterianism occurred until the winter of 1783—4*, when, finding it difficult to prosecute certain charges against Dr. Whitaker, before the Presbytery, of which he himself was the Moderator, the Church voted to return to Congregationalism, (as before stated,) having remained quietly under Presbyterian government for more than nine years, during all which time our predecessors were recognized as the *Third Congregational Church.*

Had a legacy been bequeathed to the "Third Congregational Church," at any time between 1774 and 1784, can

there be a doubt to whom it would have been adjudged, by any civil or ecclesiastical tribunal?

The real question at issue, appears to be—Shall the succession of the Third Congregational Church of 1735, continue in the line of those who remained on the Congregational platform, (both Church and Society) as the Council of 1775 decided,—or in the line of those who withdrew from Congregationalism, and established a Presbyterian *Society* as well as *Church*?

The pamphlet under consideration refers to the case of the Howard Street church, and to other churches, which have by regular votes of the members, changed from one denomination to another. But it cannot be denied that this case differs entirely from all those referred to; and it is probably true, as is suggested, that “we have never seen any thing like it in our churches.” It was undoubtedly thus viewed at the time when the Council of 1775 was called to give “advice and assistance in *re-establishment* of church order.” It was a novel case, and one which called for a thorough investigation into all the facts and circumstances which could throw “light” upon it, and three days were devoted to the examination of numerous documents and witnesses.

We have no disposition, had we the ability, to enter into an examination of the proceedings of this Council, (composed of such men as the venerable Dana and Cleaveland of Ipswich, and Robie of Lynn) whose decision is treated with so much contempt in the pamphlet under consideration. Indeed, it must be apparent, that we cannot now, after the lapse of more than seventy years, have access to many facts and circumstances having a very important bearing upon the question then at issue, which were perfectly familiar to them at that time, and upon which they gave our predecessors the title and standing of the Original Third Church. That Council was composed of clergymen and laymen of high character and standing, and their Result was made public at the time. Its correctness was recognized by the Council of 1778, when the Rev. Daniel Hopkins was ordained as Pastor of the Third Church—and virtually also by the Council of 1784, before referred to. Had their decision been considered so “preposterous,” “absurd and erroneous,” founded on an “*egregious error*,” and an “*inexcusable blunder*,” as is now pretended, some attempts would certainly have been made at the time to correct it, either by calling another Council, or by proposing to submit the matter to a reference.

In regard to the *Organization* of our Church, in 1775, which is said to have been discovered upon an examination of our Records, and which occupies so prominent a place in the recent pamphlet, it is certain that *no such thing as the organization of a new church* was intended by the Council or understood by the Church; and we need only refer the reader to the Record of their proceedings, on pages 28—30 of this pamphlet. It will there be seen that the Council explicitly recognize the church as *the Third Congregational Church* of 1735, and recommend the *renewal* of their covenant *as said church*, which was done. And at a meeting of the Church, a few weeks afterwards, (Rev. John Cleaveland presiding,) it was “*Voted*, That inasmuch as the Council convened by us in February last, judged that this is the *individual church* which existed in the time of the Rev. Dudley Leavitt, and after took on them the style of the Third Church of Christ in Salem, it is the unanimous sense of this Church, that our brother Benjamin Ropes, who was chosen some years since to succeed Mr. Jacob Ashton, deceased, as Church Treasurer, is the legal and proper Treasurer of this Church, *by virtue of the choice made some years since*, as above said.”

The question is asked, Why give the year 1774, as the origin of the Tabernacle church? We reply, because it was in that year the Presbytery received Dr. Whitaker and “that part of the church” which adhered to him, as a *Presbyterian* church. We have already said that the Third Church never did become Presbyterian, but remained Congregational when Dr. Whitaker and his friends became a Presbyterian Church. In taking this view of the case, we find ourselves fully sustained by the Rev. Mr. Cleaveland. In his Defence of the Council of 1784, he makes the following remarks in reference to this matter:

“It is evident from what has been said, that the Doctor never did lead the Third Church to fix on the Presbytery as their stated judicatory, by any formal act of the church as an organick body; and therefore that the church, as a federal body, did not at that time covenant with the Presbytery to be under their jurisdiction; for the church, as a church, did not authorise the Doctor with the Elders to draw up an address and present it to the Presbytery in the Church’s name; but *twenty-one particular persons*, (and not *all* of them members of the Third church) authorize him to present it “in our names,” as may be seen in the petition. And hence, if

the Doctor applied to the Presbytery *in the name of those particular persons*, and not by the desire and in the name of the Church as an organick body, the Presbytery, as a stated judicature, *never was fixed upon by the Third Church in Salem*, by any act of theirs!"

Mr. Cleaveland gives what he "apprehends to be a true state of facts," in regard to the Doctor's movements, from his settlement in 1769, in the course of which he says—That the Third Church was a Congregational church at the time Dr. Whitaker took charge of it in 1769—that it did not become Presbyterian by the conditions on which he was settled—that matters of complaint were laid before the brotherhood of the church, in regular church meeting, divers times after his settlement, and several instances are mentioned in 1772, 1773 and 1774—so that it was practically a Congregational Church. He then remarks—"After the Dr. joined the Presbytery *as he did*, not by any formal act of the church as an organick body, but *in the names* of the signers of the address to him, (several of whom were *not members* of the Third Church in Salem) the Presbytery acknowledged them to be a Presbyterian church," &c.

He then gives a sketch of the proceedings of the Council which was held nine years previous, (Feb. 1775)\* called by the "fourteen brethren," and quotes the substance of their Result, which declares them to be the original Third Church.

Then follows a history of the proceedings of Dr. Whitaker and his church, from the fire in 1774, till 1784, when a Congregational Council was called by the Church, "to give them help and advice in their difficult and distressed situation." After remarking that the said church had, by a formal act, resumed the Congregational form of church government, he adds the following paragraph, to which we ask particular attention, as it clearly states the peculiarities of this case :—

"The Council *gave them the right hand*, acknowledging them to be a consecrated sister church in special Congregational fellowship: for, though they did not join to the Presbytery by any formal act *as a church*, yet, as they had been *acknowledged* by the Presbytery *to be* a church, attended upon the Doctor's administrations of gospel ordinances *as a church*, and voted their declinature from the Presbyterian,

\* Mr. Cleaveland, of Ipswich, and Mr. Robie, of Lynn, were members of the Council of 1775—and both the above, and Dr. Dana, of Ipswich, were members of the Council which ordained Mr. Hopkins, as Pastor of the Third Church in 1778, and also of the Council of 1784.

and resumption of the Congregational form of government *as a church*—it was very *expedient* for the Council to recognize them, not only as a Christian church, but as a consociated Congregational church.”

The fair inference from all this is, that in his opinion, and in the opinion of the Council, the Doctor’s church had *never been regularly organized as a church*; but that it originated in 1774, when the Dr. and his adherents in an informal and irregular manner became connected with the Presbytery; yet, upon the whole, as they had been acknowledged to be a church, and had for several years acted as a church, it was deemed *expedient* to give them the right hand of fellowship. It is evident, too, that in their opinion Mr. Hopkins’s church was the Original Third Church, which had never become Presbyterian.

The fact that the Tabernacle Church have the *Records* previous to the separation, seems to be considered by them as decisive proof in favor of their claim. We have already stated the manner in which the Records remained with them at the time of the separation, viz. by the accidental circumstance of Dr. Whitaker having been the Church Clerk, who kept them in his possession until he left the Tabernacle, and entered in the book the doings of that church. After he left that church, in 1784, neither Church had them for many years—and the records of the Tabernacle Church were kept for a long period in another book. At length, it having accidentally become known that the old book of Records was in the possession of an aged individual in this city, it was purchased by a member of the Tabernacle church, as we understand, for a couple of dollars! The records of the Tabernacle Church were subsequently copied by the Clerk into this old book of Records of the Third Church. Had it been purchased by a member of the Third Church, “*equity*” would probably have required that the portion subsequent to the separation should be restored to the Tabernacle.

It appears, however, that the Records in question extend no farther back than 1743, Mr. Fisk having retained the Records of the first eight years in his possession, when he left the church—and neither Church has been so fortunate as our friends of the Tabernacle were in Dr. Whitaker’s case.

It is said in the pamphlet, that several gentlemen of the legal profession have expressed opinions in favor of the claim of the Tabernacle church. But it surely will not be pretend-

ed that they have fully investigated the matter. The fact is, that a distinguished member of the Tabernacle church, some 12 or 15 years ago, drew up a history of that church, and gave an account of the separation in the days of Dr. Whittaker, very similar to that given by the Tabernacle committee, in their second communication. Now, upon this *ex parte* representation of the case, the gentlemen referred to may have formed and expressed the opinions quoted, feeling no particular interest in the subject, and having no opportunity to examine what could be advanced against their claim. The name of the late Hon. John Pickering is mentioned, as of peculiar importance, because he was the son of one of the most distinguished of the "fourteen brethren," the Hon. Timothy Pickering. Whatever opinion the respected son may have expressed, upon an *ex parte* representation of the case, we have living testimony to the fact, that the venerable father felt, and often expressed, to his latest days, a thorough conviction of the validity of our claim to be the *Third Church* of 1735. He, of course, had a personal knowledge of all the facts in regard to the separation, &c.; and he was an impartial as well as a competent witness in the case, as he had belonged to neither of the two Societies for some forty years prior to his decease, and his associations and sympathies were with another denomination.

The "small number" composing the Council of 1775, is several times spoken of, evidently with a view to disparage their Result. But, as before remarked, that Council was undoubtedly composed of not less than FOURTEEN of the most respectable and intelligent clergymen and laymen of the vicinity—a much larger number than would have composed a committee of Reference, had one been agreed upon by the churches, as was recently proposed. And we believe the *unanimous* opinion of such a Council, given at the time, is entitled to as much weight as that of individuals 60 or 70 years afterwards, formed upon an *ex parte* statement.

The reference in our communication to various historical documents, printed sermons, pamphlets, &c. in which ours is styled the *Third Church*, was made, as the author of the pamphlet well knows, not so much as an *argument* in support of our claim, as to meet an allegation which was made, that it was of but *recent* date—that their claim had in fact been contested by none but ourselves—and that the popular impression was altogether in their favor. And the fact that the Salem Directory was published by a member of the Taber-

nacle Society, he equally well knows, was stated in no invidious manner, but merely in confirmation of a previous remark, that we had seen no published statement adverse to our claim, which had not emanated, either directly or indirectly, from the Tabernacle church or society.

But it seems there is another kind of evidence, by which their claim is supported, that of "*unpublished* manuscripts." Two of these are referred to in the pamphlet—one of them prepared by the venerable gentleman so often adduced as one of their living witnesses, (but who was only 10 or 11 years of age at the time of the separation, and was not a member of the Church until nine years afterwards)—and the other by the late Dr. Worcester, who, it is stated, "was so thoroughly persuaded of the ecclesiastical falsity of the title Third church, that he even made a correction in the record of a missionary contribution, which had been sent as from the Third church, and credited it to the South church"!

It is also said that the common or popular name is the *South* Church, and that it is so called in public solemnities by the Pastor, as well as by the Pastors of the other churches—and, says the author of the pamphlet, "as strange things to our ears was the sound of *Third* Church, at the beginning and end of a short communication last November." That the Proprietors of the House are incorporated under the name of "The Proprietors of the South Church in Salem," is well known—and the name in 1774, several months before the Council of Feb. 1775, was "The Proprietors of the South Meeting House"—but the *Church* is a body distinct from the Congregation, (the Pastor of the Tabernacle being the judge, see p. 20) and has from the beginning known and acknowledged no other name than the Third Congregational Church, or Third Church, for convenience sake.

To give some show of importance to the question which has been raised, the author of the pamphlet says, "Names may be of no small importance. In a legacy, for example, bequeathed to the Third Church in Salem, it would be a fair question at law, whether the South Church or the Tabernacle should receive it." On this point it is sufficient to say, that probably no person, intending to bequeath a legacy, would use simply the words "Third Church in Salem,"—but would undoubtedly use some words which would identify the church intended, as has been already done in repeated instances, in

this very case. Several legacies have been received by this church, within a few years, which were bequeathed to the "*Third Church of Christ in Salem*," or the "*Third Congregational Church in Salem*," adding, "of which the Rev. Brown Emerson is pastor." We venture to say, that no legacy has ever yet been bequeathed to the "*Third Church*," which was intended for the Tabernacle. Should such a case occur, as is suggested above, we should have no fears as to the result.

It should be remarked, however, that *names* are no more important *now*, than they have been for the last seventy years—during all which time the Tabernacle church have never, by any formal act, intimated to us that our use of the name of *Third Church* was an infringement upon their rights, or might endanger their interests, in the case of a legacy, as now suggested. That some members of that church may have doubted the "perfect propriety" of our use of the name, and that one or two individuals had strong feelings on that subject, is undoubtedly true; but we have seen no reason to believe that such have been the views of the members in general. If it were so, their silence, as a church, ever since the Council of 1784, is unaccountable.

From the facts and documents presented on the foregoing pages, we think it clearly appears, that the statements made by our Pastor, in his brief sketch of the origin of this church, as published in his Anniversary Sermon of 1843, and as previously printed in connexion with our Church Covenant, are substantially correct. The Pastor of the Tabernacle has, indeed, labored hard over a space of about 13 pages of his pamphlet, to show that the statements are "mistakes and errors," "radical and entire," by which they "were astonished and deeply aggrieved," and were constrained to appeal to the tribunal of "common sense." And, although in some of his remarks on our Pastor's statements, there seems to be an effort to speak in the language of courtesy and kindness, yet other remarks seem not to partake of that character. But we are willing that those who read the pamphlet should judge for themselves as to the courtesy and kindness of some of the language.

We aver that our Pastor's statements, in his Sermon, are substantially correct. In grouping together a few historical facts, for the information of the church, he saw no necessity for an observance, in every particular, of exact chronological order. The facts in the case, the only things that were wanted, were truly stated.

The Third Church *was* formed from the First, in 1735, and *did* prosper under the labors of its three first pastors, Messrs. Fisk, Leavitt and Huntington. Under the fourth pastor, Dr. Whitaker, a sharp contention *did* arise between him and a part of the church. During that contention their house of worship was burnt, and a majority of the church did, under alleged irregular and clandestine measures of Dr. Whitaker, become Presbyterians. This was a *withdrawal* of the majority, not by a vote of the church, for it does not appear that, at any regular meeting, the church, as such, before the separation, ever acted on the subject. A majority of the members, in their individual capacity, withdrew, and were acknowledged as a Presbyterian church, by the Boston Presbytery. Had that been done by a vote of the Third Church, at a regular meeting, the case would have been materially different. That new Presbyterian church *did* very soon after the burning of the old house of worship, make preparations for building a new one, to be called the Tabernacle; and in due time *did* build the house now called the Tabernacle. They then gave it this name; and the church *did* afterward take the same name as their ecclesiastical designation. The minority of the Third Church *did* remain on the Congregational Platform, and in 1775 *did* call an ecclesiastical council to decide the question, whether they, the said minority, ought to be considered as the Original Third Church, formed in 1735; and the Council *did* unanimously decide that they ought to be thus considered.

These are the facts which, together with the Result of that Council, make up the statements which the kind author of the pamphlet declares to be "*mistakes and errors, radical and entire.*" We are willing, that, in view of these facts, and his special pleading, the whole matter should be left to the decision "*of unsophisticated, unprejudiced, unimpassioned COMMON SENSE.*"

We wish it to be distinctly borne in mind, that we have asserted no new claim, and taken no new ground on this subject; and that our action has been entirely on the defensive in this controversy. And we think it may well be asked, as it has repeatedly been asked—why, if the late Dr. Worcester felt so strong a conviction of the "ecclesiastical falsity" of our title, as is now represented, some measures were not adopted in his day to set the matter right before the public, when so many living witnesses could have been found who had a perfect knowledge of all matters connected

with the separation in 1774? Dr. Hopkins, it will be recollected, (the pastor succeeding Dr. Whitaker over the Third Church) was perfectly familiar with all the circumstances, and was contemporary with Dr. Worcester 10 or 12 years in this place; Deacon Lang was also living at that time—as well as the Hon. Timothy Pickering, and others who were active in those proceedings. And it must appear strange to all who reflect upon the subject, that if such views have been generally entertained, both by the Tabernacle church, and by the community, as we are now told has been the case, that no effort should have been made to settle the conflicting claims of the two Churches, until every individual who had any part in those scenes of strife, had departed from among the living, except *one*, (who became connected with the Tabernacle church in 1780, six years after the separation)—and his mind so much enfeebled by age and infirmities, that when the author of the late pamphlet enquired of him, a few months before his decease, in relation to the division and marking of the Plate in 1785, and using the name Third Church in the settlement, “*he did not recollect about the Plate being marked,*” or of *using the name Third Church* in the settlement—although it appears from the Records that he was one of the “joint committee chosen by the Third and Tabernacle Churches,” who divided and marked the Plate, and signed the agreement, at his own house! It seems to us that much “more light” could have been obtained in the days of Mr. Spaulding, or the lamented Dr. Worcester, when so many persons were living, conversant with all the facts; and we are not ready to admit that the principles of Congregationalism, and of ecclesiastical government and discipline, were less understood by the Councils of 1775, 1778, and 1784, and the venerable men who have followed them, in the two succeeding generations, than by the author of the pamphlet just published.

In taking leave of this subject, we heartily reciprocate all the good wishes and kind feelings expressed in the pamphlet we have been considering; and most ardently pray that no “root of bitterness” may spring up, from the discussion of the subject which has been forced upon us; and while the members of both Churches look back upon the many venerable and worthy men whom we recognise as our mutual predecessors, let us carefully avoid their errors and imitate their virtues—and let the only strife between us be, to “*excel in love and good works.*”







